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## NOTICE OF ALLOWANCE AND FEE(S) DUE

62095 7590 02/05/2010

FAY SHARPE / XEROX - ROCHESTER  
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THE HALLE BUILDING  
CLEVELAND, OH 44115

EXAMINER

WONG, ERIC TAK WAI

ART UNIT

PAPER NUMBER

3693

DATE MAILED: 02/05/2010

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,263	02/25/2002	Vincent P. Vaccarelli	A2038-US-NP XERZ 2 02261	4221

TITLE OF INVENTION: CUSTOMER SATISFACTION SYSTEM AND METHOD

APPLN. TYPE	SMALL ENTITY	ISSUE FEE DUE	PUBLICATION FEE DUE	PREV. PAID ISSUE FEE	TOTAL FEE(S) DUE	DATE DUE
nonprovisional	NO	\$1510	\$300	\$0	\$1810	05/05/2010

**THE APPLICATION IDENTIFIED ABOVE HAS BEEN EXAMINED AND IS ALLOWED FOR ISSUANCE AS A PATENT. PROSECUTION ON THE MERITS IS CLOSED. THIS NOTICE OF ALLOWANCE IS NOT A GRANT OF PATENT RIGHTS. THIS APPLICATION IS SUBJECT TO WITHDRAWAL FROM ISSUE AT THE INITIATIVE OF THE OFFICE OR UPON PETITION BY THE APPLICANT. SEE 37 CFR 1.313 AND MPEP 1308.**

**THE ISSUE FEE AND PUBLICATION FEE (IF REQUIRED) MUST BE PAID WITHIN THREE MONTHS FROM THE MAILING DATE OF THIS NOTICE OR THIS APPLICATION SHALL BE REGARDED AS ABANDONED. THIS STATUTORY PERIOD CANNOT BE EXTENDED. SEE 35 U.S.C. 151. THE ISSUE FEE DUE INDICATED ABOVE DOES NOT REFLECT A CREDIT FOR ANY PREVIOUSLY PAID ISSUE FEE IN THIS APPLICATION. IF AN ISSUE FEE HAS PREVIOUSLY BEEN PAID IN THIS APPLICATION (AS SHOWN ABOVE), THE RETURN OF PART B OF THIS FORM WILL BE CONSIDERED A REQUEST TO REAPPLY THE PREVIOUSLY PAID ISSUE FEE TOWARD THE ISSUE FEE NOW DUE.**

### HOW TO REPLY TO THIS NOTICE:

#### I. Review the SMALL ENTITY status shown above.

If the SMALL ENTITY is shown as YES, verify your current SMALL ENTITY status:

A. If the status is the same, pay the TOTAL FEE(S) DUE shown above.

B. If the status above is to be removed, check box 5b on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and twice the amount of the ISSUE FEE shown above, or

If the SMALL ENTITY is shown as NO:

A. Pay TOTAL FEE(S) DUE shown above, or

B. If applicant claimed SMALL ENTITY status before, or is now claiming SMALL ENTITY status, check box 5a on Part B - Fee(s) Transmittal and pay the PUBLICATION FEE (if required) and 1/2 the ISSUE FEE shown above.

II. PART B - FEE(S) TRANSMITTAL, or its equivalent, must be completed and returned to the United States Patent and Trademark Office (USPTO) with your ISSUE FEE and PUBLICATION FEE (if required). If you are charging the fee(s) to your deposit account, section "4b" of Part B - Fee(s) Transmittal should be completed and an extra copy of the form should be submitted. If an equivalent of Part B is filed, a request to reapply a previously paid issue fee must be clearly made, and delays in processing may occur due to the difficulty in recognizing the paper as an equivalent of Part B.

III. All communications regarding this application must give the application number. Please direct all communications prior to issuance to Mail Stop ISSUE FEE unless advised to the contrary.

**IMPORTANT REMINDER: Utility patents issuing on applications filed on or after Dec. 12, 1980 may require payment of maintenance fees. It is patentee's responsibility to ensure timely payment of maintenance fees when due.**

# **PART B - FEE(S) TRANSMITTAL**

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Commissioner for Patents  
P.O. Box 1450  
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**INSTRUCTIONS:** This form should be used for transmitting the ISSUE FEE and PUBLICATION FEE (if required). Blocks 1 through 5 should be completed where appropriate. All further correspondence including the Patent, advance orders and notification of maintenance fees will be mailed to the current correspondence address as indicated unless corrected below or directed otherwise in Block 1, by (a) specifying a new correspondence address; and/or (b) indicating a separate "FEE ADDRESS" for maintenance fee notifications.

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62095 7590 02/05/2010

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CLEVELAND, OH 44115

Note: A certificate of mailing can only be used for domestic mailings of the Fee(s) Transmittal. This certificate cannot be used for any other accompanying papers. Each additional paper, such as an assignment or formal drawing, must have its own certificate of mailing or transmission.

## **Certificate of Mailing or Transmission**

I hereby certify that this Fee(s) Transmittal is being deposited with the United States Postal Service with sufficient postage for first class mail in an envelope addressed to the Mail Stop ISSUE FEE address above, or being facsimile transmitted to the USPTO (571) 273-2885, on the date indicated below.

(Depositor's name)
(Signature)
(Date)

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/083,263	02/25/2002	Vincent P. Vaccarelli	A2038-US-NP XERZ 2 02261	4221

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nonprovisional	NO	\$1510	\$300	\$0	\$1810	05/05/2010

EXAMINER	ART UNIT	CLASS-SUBCLASS
WONG, ERIC TAK WAI	3693	705-026000

1. Change of correspondence address or indication of "Fee Address" (37 CFR 1.363).

- ☐ Change of correspondence address (or Change of Correspondence Address form PTO/SB/122) attached.
- ☐ "Fee Address" indication (or "Fee Address" Indication form PTO/SB/47; Rev 03-02 or more recent) attached. **Use of a Customer Number is required.**

2. For printing on the patent front page, list

- (1) the names of up to 3 registered patent attorneys or agents OR, alternatively, 1 \_\_\_\_\_
- (2) the name of a single firm (having as a member a registered attorney or agent) and the names of up to 2 registered patent attorneys or agents. If no name is listed, no name will be printed. 2 \_\_\_\_\_
- 3 \_\_\_\_\_

3. ASSIGNEE NAME AND RESIDENCE DATA TO BE PRINTED ON THE PATENT (print or type)

PLEASE NOTE: Unless an assignee is identified below, no assignee data will appear on the patent. If an assignee is identified below, the document has been filed for recordation as set forth in 37 CFR 3.11. Completion of this form is NOT a substitute for filing an assignment.

(A) NAME OF ASSIGNEE (B) RESIDENCE: (CITY and STATE OR COUNTRY)

Please check the appropriate assignee category or categories (will not be printed on the patent) : ☐ Individual ☐ Corporation or other private group entity ☐ Government

4a. The following fee(s) are submitted:

- ☐ Issue Fee
- ☐ Publication Fee (No small entity discount permitted)
- ☐ Advance Order - # of Copies \_\_\_\_\_

4b. Payment of Fee(s); (Please first reapply any previously paid issue fee shown above)

- ☐ A check is enclosed.
- ☐ Payment by credit card. Form PTO-2038 is attached.
- ☐ The Director is hereby authorized to charge the required fee(s), any deficiency, or credit any overpayment, to Deposit Account Number \_\_\_\_\_ (enclose an extra copy of this form).

5. Change in Entity Status (from status indicated above)

- ☐ a. Applicant claims SMALL ENTITY status. See 37 CFR 1.27. ☐ b. Applicant is no longer claiming SMALL ENTITY status. See 37 CFR 1.27(g)(2).

NOTE: The Issue Fee and Publication Fee (if required) will not be accepted from anyone other than the applicant; a registered attorney or agent; or the assignee or other party in interest as shown by the records of the United States Patent and Trademark Office.

Authorized Signature \_\_\_\_\_

Date \_\_\_\_\_

Typed or printed name \_\_\_\_\_

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This collection of information is required by 37 CFR 1.311. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, Virginia 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450.

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FAY SHARPE / XEROX - ROCHESTER 1228 EUCLID AVENUE, 5TH FLOOR THE HALLE BUILDING CLEVELAND, OH 44115			WONG, ERIC TAK WAI	
			ART UNIT	PAPER NUMBER
			3693	
DATE MAILED: 02/05/2010				

## Determination of Patent Term Adjustment under 35 U.S.C. 154 (b) (application filed on or after May 29, 2000)

The Patent Term Adjustment to date is 1157 day(s). If the issue fee is paid on the date that is three months after the mailing date of this notice and the patent issues on the Tuesday before the date that is 28 weeks (six and a half months) after the mailing date of this notice, the Patent Term Adjustment will be 1157 day(s).

If a Continued Prosecution Application (CPA) was filed in the above-identified application, the filing date that determines Patent Term Adjustment is the filing date of the most recent CPA.

Applicant will be able to obtain more detailed information by accessing the Patent Application Information Retrieval (PAIR) WEB site (<http://pair.uspto.gov>).

Any questions regarding the Patent Term Extension or Adjustment determination should be directed to the Office of Patent Legal Administration at (571)-272-7702. Questions relating to issue and publication fee payments should be directed to the Customer Service Center of the Office of Patent Publication at 1-(888)-786-0101 or (571)-272-4200.

<b>Notice of Allowability</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/083,263	VACCARELLI ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	ERIC T. WONG	3693	

**-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--**

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed 12/16/2009.
2. ☒ The allowed claim(s) is/are 22-33.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
  - \* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
  - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
    - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
  - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.

**Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).**
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |   |
|---|---|
| <ol style="list-style-type: none"> <li>1. <input type="checkbox"/> Notice of References Cited (PTO-892)</li> <li>2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)</li> <li>3. <input type="checkbox"/> Information Disclosure Statements (PTO/SB/08),<br/>Paper No./Mail Date _____</li> <li>4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br/>of Biological Material</li> </ol> | <ol style="list-style-type: none"> <li>5. <input type="checkbox"/> Notice of Informal Patent Application</li> <li>6. <input type="checkbox"/> Interview Summary (PTO-413),<br/>Paper No./Mail Date _____.</li> <li>7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment</li> <li>8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance</li> <li>9. <input type="checkbox"/> Other _____.</li> </ol> |
|---|---|

/ERIC T. WONG/  
Examiner, Art Unit 3693

/James A. Kramer/  
Supervisory Patent Examiner, Art Unit 3693

## **DETAILED ACTION**

### ***Allowable Subject Matter***

1. Claims 22-33 allowed, subject to the Examiner's Amendment described below.

## **EXAMINER'S AMENDMENT**

2. An examiner's amendment to the record appears below. The claims have been rewritten in the style of a "Beauregard claim", which is considered statutory under 35 USC 101 (see MPEP 2106.01,I). Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.
3. Authorization for this examiner's amendment was given via telephone by Gary Cohen (Reg. No. 33,127) on 1/25/2010.
4. The application has been amended as follows:

Claims 1-21 (Cancelled)

Claim 22 (New) A computer-readable medium tangibly embodying computer-executable instructions which when executed by a computer processor perform a customer satisfaction method comprising the steps of:

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automatically sending, according to a predetermined schedule, open-ended queries to customers as to whether the customers have any problems with goods or services provided by a provider that have not been resolved to each customer's satisfaction, wherein a query includes a user interface for receiving open-ended responses input from the customers;

receiving responses from customers to the queries;

analyzing responses from customers to identify a customer problem;

transmitting the identified customer problem to a problem solver for resolution;

receiving a solution to the identified customer problem from the problem solver;

transmitting the solution to the customer; and

sending a query to the customer requesting verification that the problem has been solved;

wherein the method first identifies a problem by analyzing a customer response to an open-ended query, solves the identified problem, and then has the customer verify that the identified problem has been solved.

Claim 23 (New) The computer-readable medium of claim 22, further comprising instructions for storing a copy of each query sent, response received, problem identified, and solution generated.

Claim 24 (New) The computer-readable medium of claim 23, further comprising instructions for generating a report of queries sent, responses received, problems identified, and solutions generated.

Art Unit: 3693

Claim 25 (New) The computer-readable medium of claim 22, wherein queries are sent via e-mail and responses are received via e-mail.

Claim 26 (New) The computer-readable medium of claim 22, further comprising instructions for analyzing customer responses with a pattern recognition system.

Claim 27 (New) The computer-readable medium of claim 23, further comprising instructions for problem reporting and maintaining a customer relationship management database.

Claim 28 (New) The computer-readable medium of claim 26, further comprising instructions for storing a record of customer queries, customer responses, customer problems and solutions.

Claim 29 (New) The computer-readable medium of claim 22, wherein the predetermined schedule comprises once a month.

Claim 30 (New) The computer-readable medium of claim 22, wherein the predetermined schedule comprises once a week.

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Claim 31 (New) The computer-readable medium of claim 22, wherein the identified customer problem is closed responsive to receiving a response from the customer verifying that the problem has been solved to the customer's satisfaction.

Claim 32 (New) The computer-readable medium of claim 22, wherein a new customer problem is opened responsive to receiving a response from the customer that the problem has not been solved.

Claim 33 (New) The computer-readable medium of claim 25, wherein an email query includes a yes link for enabling a customer to respond in the affirmative to the query as to whether the customer has any problems with goods or services provided by a provider that have not been resolved to the customer's satisfaction and a no link for enabling a customer to respond in the negative, wherein responsive to selection of the yes link, the system displays an interface for receiving input from the customer describing the problem that has not been resolved to the customer's satisfaction.

***Reasons for Allowance***

5. The following is an examiner's statement of reasons for allowance:

6. The closest prior art the Examiner has been able to locate is Remedy (as evidenced by Newswire ("Remedy Introduces New Applications to the Customer Relationship Management (CRM) Market") and Strauss ("My remedy what!? Has been resolved???")). Remedy discloses a customer satisfaction system wherein a customer may open a ticket in order to have a problem solved. While Remedy and the instant invention are similar in many respects, there are patentable distinctions.

7. Remedy discloses a tracking system for computer support problems. Remedy is reflective of typical customer support models in that it waits for a customer complaint and then follows the complaint with problem solving. Remedy can only track those job tickets/service requests the customers have input into the system. In contrast, Applicant's invention identifies more problems than a tracking system which relies entirely on customer initiated problems. Applicant's invention automatically sends open-ended queries to customers as to whether the customer has any problems with goods or services provided by a provider that have not been resolved to the customer's satisfaction. Unlike Remedy, a customer does not have to have already opened a ticket for service to receive the query. These open-ended queries enable the earlier detection of problems, thus increasing customer satisfaction.

8. The following is a formal statement of reasons for allowance:

9. Claim 22 is allowed because the best prior art of record, Remedy, does not disclose or fairly suggest the limitations in a computer-readable medium tangibly embodying computer-

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executable instructions which when executed by a computer processor perform a customer satisfaction method comprising the steps of:

automatically sending, according to a predetermined schedule, open-ended queries to customers as to whether the customers have any problems with goods or services provided by a provider that have not been resolved to each customer's satisfaction, wherein a query includes a user interface for receiving open-ended responses input from the customers;

receiving responses from customers to the queries;

analyzing responses from customers to identify a customer problem;

transmitting the identified customer problem to a problem solver for resolution;

receiving a solution to the identified customer problem from the problem solver;

transmitting the solution to the customer; and

sending a query to the customer requesting verification that the problem has been solved;

wherein the method first identifies a problem by analyzing a customer response to an open-ended query, solves the identified problem, and then has the customer verify that the identified problem has been solved.

10. Claims 23-33 are allowed at least by virtue of their dependence on allowed claim 22.

11. Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to ERIC T. WONG whose telephone number is 571-270-3405. The examiner can normally be reached on Monday-Friday 9:00AM-5:00PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, James A. Kramer can be reached on 571-272-6783. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/James A. Kramer/  
Supervisory Patent Examiner, Art Unit 3693

ERIC T. WONG  
Examiner  
Art Unit 3693

January 25, 2010